

**Township of Berkeley Heights  
Union County, New Jersey  
November 14, 2022**

Adequate notice of this meeting has been provided by forwarding a copy to the Courier News, Star Ledger and posting on the Township website, at least forty-eight hours prior to the meeting, all in accordance with the Open Public Meetings Act. This meeting will not substantially go past 10:30 p.m.

**COUNCIL MEMBERS:**

Gentiana Brahimaj  
Manuel Couto – Vice President  
Paul Donnelly  
John Foster  
Jeanne Kingsley - President  
Jeff Varnerin  
Angie Devanney- Mayor

**AGENDA FOR PUBLIC MEETING**

Meeting will be held IN-PERSON and livestreamed via Zoom.

To view the meeting via Zoom, use the link: <http://zoom.us/s/3575747364>  
if you need to enter a meeting ID, it is: 357-574-7364.

- I. CALL TO ORDER – 7:00 p.m.**
- II. ROLL CALL**
- III. FLAG SALUTE**
- IV. PROCLAMATION - Governor Livingston High School Band  
- Michele Young and Bob Coletta**
- V. CONFERENCE SESSION - 1. Equity Audit Proposal – Brittany Hale, Esq.  
2. Best Practices**
- VI. REGULAR AGENDA**
- VII. APPROVAL OF MINUTES – Public Meeting – October 7, 2022  
Public Meeting - October 18, 2022**

### **VIII. HEARING ON AGENDA ITEMS ONLY- (3) minutes per resident**

Comments are welcome during the public comment period during this meeting on any agenda item. However, if an ordinance is listed for its own public hearing on the agenda, please hold your comments for that particular public hearing. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The (Mayor/Council President) will keep time. Please promptly yield on the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

Alternatively, written comments may also be submitted in lieu of verbal comments. You may submit written comments in advance of the meeting either via electronic mail (to: [aminkoff@bhtwp.com](mailto:aminkoff@bhtwp.com)) or by written letter (to: Township Clerk, 29 Park Avenue, Berkeley Heights, NJ 07922), including commenter's full name and address, which must be received by the Township Clerk by 4:00 P.M. on the date of the meeting.

### **IX. NEW BUSINESS – RESOLUTIONS OFFICIAL ACTION WILL BE TAKEN ON THE FOLLOWING:**

1. Resolution approving Bill List dated November 14, 2022, in the amount of \$1,170,881.61.
2. Resolution authorizing transfers between budget appropriations.
3. Resolution approving the insertion a special item of revenue – Chapter 159- EDA Grant (Community Benefit Fee”) in the amount of \$150,000.
4. Resolution approving the insertion a special item of revenue – in the amount of \$14,250, under the title CDBG (Community Development Block Grant) -Senior Citizen Social Services Program.
5. Resolution approving the insertion a special item of revenue, in the amount of \$60,000, under the title of Infrastructure and Municipal Aid Grant.
6. Resolution establishing policies and procedures for the payment of claims, claimant's signature for payment pursuant to N.J.S.A. 40A:5-16, N.J.A.C. 5:30-9A.6 and N.J.A.C. 5:31-4.1.
7. Amending Resolution No. 150-2022, awarding a professional services contract to Arterial LLC, for Urban Design Services for the development of a Capital Improvement plan for Sherman Avenue in the amount of \$46,500.
8. Resolution appointing Renae Waggner as Registrar of Vital Statistics.
9. Resolution authorizing the purchase of electricity supply services for public use on an online auction website.
10. Resolution authorizing purchase contracts with certain vendors, for the purchase of Police vehicles, from Mall Chevrolet in the amount of \$135,000.00
11. Resolution authorizing the establishment of a Community Advisory Committee pursuant to the terms of the Community Benefits Agreement with Fiserv Solutions, LLC.

12. **CONSENT AGENDA** – All matters listed under Consent Agenda are considered routine by the Township Council and will be enacted upon by one motion; there will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.
- a. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$1,022.06, for the property located at 4 Winchip Road.
  - b. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$1,182.16, for the property located at 53 Park Edge.
  - c. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$3,086.28, for the property located at 271 River Bend Road.
  - d. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$2,036.06, for the property located at 239 Princeton Avenue.
  - e. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$4,295.58, for the property located at 258 Emerson Lane.
  - f. Resolution authorizing an overpayment of a portion of 2022 property taxes in the amount of \$9,258.56, for the property located at 41 Debbie Lane.
  - g. Resolution authorizing a release of performance bond in the amount of \$700.00 for work performed at 86 Cromwell Court.
  - h. Resolution appointing Nick Wemett, to the Active roster of the Berkeley Heights Volunteer Fire Department.
  - i. Resolution appointing Owen Emmons, to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department.
  - j. Resolution appointing John Rewey, to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department.
  - k. Resolution appointing John Hogan, to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department.
  - l. Resolution removing various members from the active roster of the Berkeley Heights Volunteer Fire Department.

## **XI. TOWNSHIP COUNCIL REPORTS**

- A. Gentiana Brahimaj**
- B. Manuel Couto – Vice President**
- C. Paul Donnelly**
- D. John Foster**
- E. Jeanne Kingsley – President**
- F. Jeff Varnerin**

## **ADMINISTRATION REPORTS**

**Mayor Devanney**

**Township Administrator – Liza Viana**

## **XII. CITIZENS HEARING - (3) minutes per resident**

Comments are welcome during the public comment period during this meeting on any matter over which the Township has jurisdiction. To make your comment, the speaker must come forward to the microphone and state his/her name and address for the record. Each speaker is limited to 3 minutes. The Mayor and/or Council will keep time. Please promptly yield the floor when time is called and return to your seat. Your cooperation in adherence to these rules of order will ensure an orderly and respectful meeting.

Alternatively, written comments may also be submitted in lieu of verbal comments. You may submit written comments in advance of the meeting either via electronic mail (to: [aminkoff@bhtwp.com](mailto:aminkoff@bhtwp.com)) or by written letter (to: Township Clerk, 29 Park Avenue, Berkeley Heights, NJ 07922), including commenter's full name and address, which must be received by the Township Clerk by 4:00 P.M. on the date of the meeting.

## **XIII. EXECUTIVE SESSION –**

## **XIV. ADJOURNMENT**

**Ana Minkoff, Township Clerk**

**TOWNSHIP COUNCIL CORRESPONDENCE**  
**October 2022**

Correspondence received from:

- **Township of Scotch Plains** providing notice of Ordinance 2022-33;
- **Borough of New Providence** providing notice of Ordinance 2022-15;

Agenda Item # 1

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE AND IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union, State of New Jersey, in meeting assembled, authorizes and directs the Township Treasurer to make payment of vouchers listed on the Bill List dated 11/14/2022, in the amount of \$1,170,881.61 such vouchers having been received by the Township Council, having been satisfied that appropriate procedure has been followed in the processing of said vouchers.

**APPROVED** this 14th day of November, 2022.

**ATTEST:**

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Ana Minkoff  
Township Clerk

#2

**TOWNSHIP OF BERKELEY HEIGHTS  
RESOLUTION**

AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS –  
N.J.S.A 40A:4-58

WHEREAS, transfers are permitted between budget appropriations during the last two months of the appropriation year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of Berkeley Heights Township, in the County of Union, New Jersey, that transfers between 2022 Budget Appropriations be made as follows:

CURRENT FUND

	<u>FROM</u>	<u>TO</u>
2-01-20-701-011 Admin		
SW	\$ 10,000.00	
2-01-25-749-025 Fire Department		\$ 10,000.00
Total	\$ 10,000.00	\$ 10,000.00
2-01-20-701-011 Admin		
SW	\$ 15,000.00	
2-01-25-749-042 Fire Department		\$ 15,000.00
Total	\$ 15,000.00	\$ 15,000.00
2-01-26-765-029 S&R Other Contractual	\$ 5,000.00	
2-01-26-767-034 Motor Vehicle Parts		\$ 5,000.00
Total	\$ 5,000.00	\$ 5,000.00
2-01-26-770-028 SW Prof Services	\$ 8,000.00	
2-01-26-767-034 Motor Vehicle Parts		\$ 8,000.00
Total	\$ 8,000.00	\$ 8,000.00
2-01-26-772-026 B&G Other Contractual Items	\$ 5,000.00	
2-01-26-772-058 B&G Equipment and Supplies		\$ 5,000.00
Total	\$ 5,000.00	\$ 5,000.00
2-01-26-770-028 SW Prof Services	\$ 3,000.00	
2-01-26-772-058 B&G Equipment and Supplies		\$ 3,000.00
Total	\$ 3,000.00	\$ 3,000.00
2-01-26-765-029 S&R Other Contractual	\$ 8,000.00	
2-01-26-772-024 B&G Maintenance of Buildings		\$ 8,000.00
Total	\$ 8,000.00	\$ 8,000.00
2-01-26-770-028 SW Prof Services	\$ 14,000.00	
2-01-26-772-024 B&G Maintenance of Buildings		\$ 14,000.00

Total	\$ 14,000.00	\$ 14,000.00
2-01-30-818-011 Sewer Admin SW	\$ 50,000.00	
2-01-30-818-028 Sewer Plant Professionals Services		\$ 50,000.00
Total	\$ 50,000.00	\$ 50,000.00
2-01-20-701-011 Admin SW	\$ 30,000.00	
2-01-30-818-028 Sewer Plant Professionals Services		\$ 30,000.00
Total	\$ 30,000.00	\$ 30,000.00
2-01-26-770-028 SW Prof Services	\$ 10,000.00	
2-01-30-818-025 Sewer Maint of Motor Vehicles		\$ 10,000.00
Total	\$ 10,000.00	\$ 10,000.00
2-01-20-701-011Admin SW	\$ 30,000.00	
2-01-40-636-000 Union County Infrastructure Grant		\$ 30,000.00
Total	\$ 30,000.00	\$ 30,000.00
2-01-20-701-028 Admin Professional Services	\$ 30,000.00	
2-01-40-636-000 Union County Infrastructure Grant		\$ 30,000.00
Total	\$ 30,000.00	\$ 30,000.00

#### CERTIFICATION

I, ANA MINKOFF, Municipal Clerk of Berkeley Heights Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee as its meeting held on the 14<sup>th</sup> day of November 2022.

\_\_\_\_\_  
ANA MINKOFF  
Municipal Clerk



#3

**TOWNSHIP OF BERKELEY HEIGHTS  
COUNTY OF UNION, NEW JERSEY**

**RESOLUTION APPROVING THE INSERTION OF A SPECIAL ITEM OF REVENUE –  
CHAPTER 159 -EDA GRANT (“COMMUNITY BENEFIT FEE”), PURSUANT TO N.J.S.A.  
40A4-87**

**WHEREAS**, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and;

**WHEREAS**, The EDA has allocated \$150,000.00 to the Township of Berkeley Heights to go toward the Lower Columbia Park field project.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Township of Berkeley Heights in the County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2022 in the sum of \$150,000.00 which is now available from:

**Miscellaneous Revenues**

**Special Items of General Revenue Anticipated with Prior Written Consent of  
the Director of Local Government Services:**

**State and Federal Revenues Off-Set with**

**Appropriations:**

**EDA Grant (“Township Community Benefit Fee”)**

**\$150,000.00**

**BE IT FURTHER RESOLVED** that the sum of \$150,000.00 is hereby appropriated under the caption of:

**General Appropriations:**

**(a) Operations Excluded from “CAPS”**

**State and Federal Programs Off-Set by Revenues:**

**EDA Grant (“Township Community Benefit Fee”)**

**\$150,000.00**

**BE IT FURTHER RESOLVED** that the Township Clerk forward one copy of this resolution to the Director of Local Government Services and one copy to the Chief Financial Officer.

**APPROVED** this 14<sup>th</sup> day of November, 2022.

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

#4

**TOWNSHIP OF BERKELEY HEIGHTS**

**COUNTY OF UNION**

**A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND  
APPROPRIATION ACCORDING TO N.J.S.A. 40A:4-87 – COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM FOR SENIOR CITIZEN SOCIAL  
SERVICES PROGRAM THROUGH THE UNION COUNTY COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)**

**WHEREAS**, N.J.S.A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Berkeley Heights in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$14,250.00, under the title of CDBG (Community Development Block Grant) – Senior Citizen Social Services Program, and

**BE IT FURTHER RESOLVED**, that the like sum of \$14,250.00 is hereby appropriated under the caption of CDBG (Community Development Block Grant) – Senior Citizen Social Services Program; and

**BE IT FURTHER RESOLVED**, that the above is the result of funds awarded in 2022 by Union County through the Union County Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974, as amended, (CDBG).

**APPROVED this 14<sup>th</sup> day of November, 2022.**

**ATTEST:**

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Ana Minkoff, Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS****COUNTY OF UNION****A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEM OF REVENUE AND APPROPRIATION ACCORDING TO N.J.S.A. 40A:4-87 – 2022 INFRASTRUCTURE AND MUNICIPAL AID GRANT AGREEMENT FOR INFRASTRUCTURE PROJECTS THROUGH THE UNION COUNTY BOARD OF COUNTY COMMISSIONERS.**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for an equal amount; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Berkeley Heights in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$60,000.00, under the title of Infrastructure and Municipal Aid Grant; and

**BE IT FURTHER RESOLVED**, that the like sum of \$60,000.00 is hereby appropriated under the caption of Infrastructure and Municipal Aid Grant; and

**BE IT FURTHER RESOLVED**, that the above is the result of funds awarded in 2022 by Union County through the Union County Board of County Commissioners.

**APPROVED this 14<sup>th</sup> day of November 2022**

**ATTEST:**

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Ana Minkoff, Township Clerk

#6

**TOWNSHIP OF BERKELEY HEIGHTS  
COUNTY OF UNION, NEW JERSEY**

**RESOLUTION ESTABLISHING POLICIES AND PROCEDURE FOR THE  
PAYMENT OF CLAIMS, CLAIMANT'S SIGNATURE FOR PAYMENT PURSUANT  
TO N.J.S.A. 40A:5-16, N.J.A.C. 5:30-9A.6 AND N.J.A.C. 5:31-4.1**

**WHEREAS**, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

**WHEREAS**, NJSA 40A:5-16 requires that the governing body of any local unit shall not pay out of its monies unless

(a) the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification).

(b) the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department).

**WHEREAS**, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 gives local units discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

**WHEREAS**, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

**WHEREAS**, N.J.A.C. 5:30-9A.6 allows that municipalities may by resolution set forth the circumstances when they will or will not require a vendor (claimant) signature on a purchase order; and

**WHEREAS**, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

<b>Vendor Signature Required (stamp, fax electronic or wet is acceptable)</b>	<b>Vendor Signature not Required</b>
Advance or Reimbursement of Employee Expenses	Expenses below the Quote Threshold. (15% of the Bid Threshold as described in New Jersey Statutes Annotated.
For services provided exclusively and entirely by an individual (e.g. Sole Proprietors).	Debt Service
Any situation deemed necessary by the CFO or his designee	Non-Municipal Taxes
	Items not noted in the left column

**NOW, THEREFORE BE IT RESOLVED** on the 14th day of November, 2022, by the Council of the Township of Berkeley Heights, State of New Jersey, that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective immediately.

**ATTEST:**

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Ana Minkoff  
Township Clerk

#7

**AMENDING RESOLUTION NO. 150-2022**  
**TOWNSHIP OF BERKELEY HEIGHTS**  
**COUNTY OF UNION, NEW JERSEY**

**A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO  
ARTERIAL LLC. FOR URBAN DESIGN SERVICES FOR THE DEVELOPMENT  
OF A CAPITAL IMPROVEMENT PLAN FOR SHERMAN AVENUE**

**WHEREAS**, the Township of Berkeley Heights is in need of contracting for professional Streetscape Capital Improvement Plan for Sherman Avenue; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a resolution authorizing the award of the contract for professional services without competitive bid and that the contract itself must be available for inspection; and

**WHEREAS**, Arterial LLC. has provided proposal dated February 1, 2022, to provide Urban Design Services for the development of a Capital Improvement Plan for Sherman Avenue; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Berkeley Heights that the Mayor/Administrator of the Township of Berkeley Heights is hereby authorized to execute and attest to an agreement with Arterial LLC, 507 Bloomfield Avenue, Montclair, New Jersey 07042, for Streetscape Capital Improvement Plan, for Sherman Avenue, in an amount not to exceed ~~\$38,500.00~~, **\$46,500.00** pursuant to their proposal dated February 1, 2022. This contract is awarded without competitive bids as a "professional services contract" in accordance with N.J.S.A. 40A:11-5(1)(a)(I) of the Local Public Contracts Law and pursuant to a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.; and

**BE IT FURTHER RESOLVED**, that the Acting Chief Financial Officer has issued a Certificate Available Funds which is incorporated herein by reference, for an amount not to exceed \$38,500.00.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

**APPROVED** this 14th day of November, 2022.

**ATTEST:**

\_\_\_\_\_  
**Ana Minkoff, Township Clerk**

### **CERTIFICATE OF AVAILABILITY OF FUNDS**

I certify that there are sufficient legally appropriated funds for the amount of this contract, \$46,500, in Account # -01-22-720-028, and that these funds have not been certified as available for any other pending contract.

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HFA

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights, County of Union and State of New Jersey, that Renae Waggner be appointed as **REGISTRAR OF VITAL STATISTICS** for the Township of Berkeley Heights.

**BE IT FURTHER RESOLVED** that copies of this Resolution be forwarded to Renae Waggner, State Registrar's Office and the Township Clerk.

**APPROVED this 14<sup>th</sup> day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk



#9

**TOWNSHIP OF BERKELEY HEIGHTS  
COUNTY OF UNION**

**A RESOLUTION OF Township of Berkeley Heights AUTHORIZING THE PURCHASE  
OF Electricity SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION  
WEBSITE**

WHEREAS, Township of Berkeley Heights has determined to move forward with the EMEX Reverse Auction in order procure Electricity for Township of Berkeley Heights; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of Electricity supply service for public use through the use of an online auction service; and

WHEREAS, Township of Berkeley Heights will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.11512 kWh or less for a 12 month term, a price of \$0.10819 kWh or less for an 18 month term, a price of \$0.11016 kWh or less for a 24 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the Township Council of the Township of Berkeley Heights hereby authorizes Liza Viana, Administrator to execute on behalf of the Township of Berkeley Heights any Electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.11512 kWh or less for a 12 month term, a price of \$0.10819 kWh or less for an 18 month term, a price of \$0.11016 kWh or less for a 24 month term; Township of Berkeley Heights may award a contract to the winning supplier for the selected term.

**APPROVED this 14<sup>th</sup> day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff, Township Clerk

#10

**TOWNSHIP OF BERKELEY HEIGHTS**

**UNION COUNTY, NEW JERSEY**

**RESOLUTION AUTHORIZING PURCHASE CONTRACTS WITH CERTAIN  
CONTRACT VENDORS PURSUANT TO N.J.S.A. 40A:11-10**

**WHEREAS**, the Township of Berkeley Heights is a party to a cooperative purchasing agreement with Educational Services Commission of New Jersey (ESCNJ) a cooperative purchasing program organized pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11; and

**WHEREAS**, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

**WHEREAS**, the procurement of goods and services through a cooperative purchasing program is considered to be an open and fair process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the Township of Berkeley Heights has a need to purchase, on a timely basis, three Police Vehicle utilizing Cooperative Pricing System contracts; and

**WHEREAS**, the Township of Berkeley Heights plans to utilize the approved Cooperative Pricing Contract, police vehicles, to purchase from the vendor listed below; such transaction shall be subject to all conditions applicable to the Educational Services Commission of New Jersey (ESCNJ) Cooperative Pricing System contracts:

1. Mall Chevrolet	\$135,000.00
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**WHEREAS**, the Chief Financial Officer of the Township of Berkeley Heights has certified that adequate funds for such contract are available; and

**BE IT RESOLVED** by the Council of the Township of Berkeley Heights, in the County of Union, that the Township of Berkeley Heights is hereby authorized to purchase three Police Vehicles from Mall Chevrolet, for \$135,000.00; and

**BE IT FURTHER RESOLVED** that pursuant to N.J.A.C. 5:30-5.5(b), prior to placing any order for goods or services in accordance with this Resolution, a certification of available funds shall be executed by the Chief Financial Officer and attached to the file copy of the purchase order or other similar document.

**APPROVED this 14<sup>th</sup> day of November, 2022.**

**ATTEST:**

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Ana Minkoff  
Township Clerk

**CERTIFICATE OF AVAILABILITY OF FUNDS**

I certify that there are sufficient legally appropriated funds for the amount of this contract.

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Holman Frenia Allison, P.C.  
Chief Financial Officer

# 1

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION CREATING A COMMUNITY ADVISORY COMMITTEE**

**WHEREAS**, The Township of Berkeley Heights ("Township") has entered into a Community Benefits Agreement with Fiserve Solutions, LLC; and

**WHEREAS**, a copy of the aforementioned Agreement is annexed to this Resolution and incorporated as if fully set forth herein; and

**WHEREAS**, pursuant to the aforementioned Agreement, a community advisory committee ("Committee") shall be created by the Township within ninety (90) days of the approval; and

**WHEREAS**, the purpose of the Committee is to oversee the implementation of the Agreement, monitor successes, and ensure compliance with the terms of the Agreement; and

**WHEREAS**, The Committee shall be comprised of representatives from community groups and residents of the Township; and

**WHEREAS**, The Mayor shall appoint the members of the Committee, which shall consist of not less than three (3) members.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that the Township Council hereby authorizes the establishment of a Community Advisory Committee pursuant to the terms of the Community Benefits Agreement with Fiserve Solutions, LLC; and

**BE IT FURTHER RESOLVED** that the Mayor shall appoint the members of the Committee by executive order; and

**BE IT FURTHER RESOLVED** that the members of the Committee shall comply with their obligations required by the Community Benefits Agreement with Fiserve Solutions, LLC.

**APPROVED** this 14th day of November, 2022.

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION CREATING A COMMUNITY ADVISORY COMMITTEE**

**WHEREAS**, The Township of Berkeley Heights (“Township”) has entered into a Community Benefits Agreement with Fiserv Solutions, LLC; and

**WHEREAS**, a copy of the aforementioned Agreement is annexed to this Resolution and incorporated as if fully set forth herein; and

**WHEREAS**, pursuant to the aforementioned Agreement, a community advisory committee (“Committee”) shall be created by the Township within ninety (90) days of the approval; and

**WHEREAS**, the purpose of the Committee is to oversee the implementation of the Agreement, monitor successes, and ensure compliance with the terms of the Agreement; and

**WHEREAS**, The Committee shall be comprised of representatives from community groups and residents of the Township; and

**WHEREAS**, The Mayor shall appoint the members of the Committee, which shall consist of not less than three (3) members.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Berkeley Heights that the Township Council hereby authorizes the establishment of a Community Advisory Committee pursuant to the terms of the Community Benefits Agreement with Fiserv Solutions, LLC; and

**BE IT FURTHER RESOLVED** that the Mayor shall appoint the members of the Committee by executive order; and

**BE IT FURTHER RESOLVED** that the members of the Committee shall comply with their obligations required by the Community Benefits Agreement with Fiserv Solutions, LLC.

**APPROVED this 14th day of November, 2022.**

**ATTEST:**

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**Ana Minkoff  
Township Clerk**

12(a)

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 3906, Lot#1 also known as 4 Winchip Road, which requires a refund in the amount of \$1,022.06; and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$1,022.06 to Christina H. Ruebel, 4 Winchip Road, Summit, NJ 07901.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 301.16, Lot# 10 (condo) also known as 53 Park Edge, which requires a refund in the amount of \$1,182.16; and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$1,182.16, to Earlene L. Giambalvo, 53 Park Edge, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 1002, Lot# 70 also known as 271 River Bend Road, which requires a refund in the amount of \$3,086.28; and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$3,086.28, to Mr. and Mrs. Grosso, 271 River Bend Road, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 1706, Lot# 6 also known as 239 Princeton Avenue, which requires a refund in the amount of \$2,036.06: and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$2,036.06, to Richard and Kerri Clark, 239 Princeton Avenue, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 2901, Lot# 1.015 also known as Res Prop in Free Acres, which requires a refund in the amount of \$4,295.58: and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$4,295.58, to Free Acres Association, 258 Emerson Lane, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, the Tax Collector has advised that there was an overpayment of a portion of 2022 property taxes for property known as Block# 2505, Lot# 17 also known as 41 Debbie Lane which requires a refund in the amount of \$9,258.56: and,

**NOW, THEREFORE BE IT RESOLVED** that the Treasurer is authorized to refund the overpayment of the fourth (4th) quarter 2022 taxes in the amount of \$9,258.56 to Joseph Moccia, 41 Debbie Lane, Berkeley Heights, NJ 07922.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to the Tax Collector.

**APPROVED** this 14th day of November 2022.

**Attest:**

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**Ana Minkoff  
Township Clerk**

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**WHEREAS**, Julia Dreisbach was required to post a cash bonds, in the amount of \$700.00 for street opening, in connection with work being performed at 86 Cromwell Court, the Township Engineer has recommended by letter dated October 26, 2022, a release of the cash bond in the amount of \$700.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council, Township of Berkeley Heights, County of Union, hereby authorizes the Township Treasurer to release and return the cash bond posted by Julia Dreisbach, in the amount of \$700.00, together with any applicable interest.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is to be forwarded to the Township Engineer.

**APPROVED** this 14<sup>th</sup> day of November, 2022.

**ATTEST:**

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Ana Minkoff  
Township Clerk

12h

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that Nick Wemett, is hereby appointed to the Active roster of the Berkeley Heights Volunteer Fire Department effective November 14, 2022.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Fire Chief.

**APPROVED this 14th day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that Owen Emmons, is hereby appointed to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department effective November 14, 2022.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Fire Chief.

**APPROVED this 14th day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that John Rewey, is hereby appointed to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department effective November 14, 2022.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Fire Chief.

**APPROVED this 14th day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk

**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that John Hogan, is hereby appointed to the Junior Fire Auxiliary of the Berkeley Heights Volunteer Fire Department effective November 14, 2022.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Fire Chief.

**APPROVED this 14th day of November, 2022.**

**ATTEST:**

\_\_\_\_\_  
Ana Minkoff  
Township Clerk



**TOWNSHIP OF BERKELEY HEIGHTS  
UNION COUNTY, NEW JERSEY**

**RESOLUTION**

**IT IS HEREBY RESOLVED** by the Township Council of the Township of Berkeley Heights, Union County, New Jersey, that:

- Chris Clark – 153 Gallinson Drive, Murray Hill
- Wonki Chae (Jr. Auxiliary) – 7 Paula Way, Berkeley Heights
- Michael Szeman – 108 Oakland Avenue, South Plainfield

are hereby removed from the active roster of the Berkeley Heights Volunteer Fire Department effective November 14, 2022.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Fire Chief.

**APPROVED this 14<sup>th</sup> day of November, 2022.**

**ATTEST:**

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Ana Minkoff  
Township Clerk